

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

GARDA CL ATLANTIC, INC.
Employer

and

SPECIAL AND SUPERIOR OFFICERS
BENEVOLENT ASSOCIATION
Petitioner

Case 29-RC-197242

and

UNITED FEDERATION OF SPECIAL
POLICE AND SECURITY OFFICERS
Intervenor

ORDER

The Intervenor's request to stay the election scheduled for October 4, 2017, is denied.¹

PHILIP A. MISCIMARRA, CHAIRMAN

MARK GASTON PEARCE, MEMBER

MARVIN E. KAPLAN, MEMBER

Dated, Washington, D.C., October 3, 2017.

¹ This request for extraordinary relief involves application of the Board's Election Rule, with which Chairman Miscimarra continues to disagree for the reasons that he and former Member Johnson stated in their dissenting views regarding the Rule. See 79 Fed. Reg. 74308, at 174430-74460 (December 15, 2014) (dissenting views of Member Miscimarra and Member Johnson). In the instant case, Chairman Miscimarra agrees with the denial of the Intervenor's request to stay the election, without prejudice to the Board's consideration of the Intervenor's pending Request for Review.

Member Kaplan expresses no view with respect to whether he agrees or disagrees with revisions made by the Election Rule, but he does agree that it applies here and warrants denial of the Intervenor's request to stay the election, without prejudice to the Board's subsequent consideration of the merits of the request for review of the Acting Regional Director's Decision and Direction of Election.